GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PRED – Allegations of serious lapses took place in execution of two CPWS Schemes sanctioned to Vontimitta and Pondaluru in YSR Kadapa District – Disciplinary proceedings initiated against Sri D. Chandra Obula Reddy, the then AEE (CPWS Vontimitta) along with others – Inquiry conducted – Charges held proved - Imposition of major penalty of withholding two (2) Annual Grade Increments with cumulative effect besides recovery of Rs.1,65,239/- towards his share on the misappropriated amount– Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 677 **Dated: 25-11-2020.**
Read the following:-

1)Govt.Memo.No.162/Vig.II/A1/2001-16 PR&RD(Vig.II)Dept., Dt:02-05-2005.
2)Written Statement of Defence submitted by Sri D. Chandra Obula Reddy, former AEE, Rajampet, Kadapa District Dt:16-08-2005.
3)G.O.Rt.No.421 PR&RD(Vig.II)Dept., Dated:22-03-2007.
4)From Commissioner of Inquiries, GAD, D.O.Letter No.133/COI.JR/2007 Dated:01-08-2008.
5)Govt.Memo.No.162/Vig.II/A1/2001-29 PR&RD (Vig.II) Dept., Dt:08-09-2008
6)From Sri D. Chandra Obula Reddy, former AEE, Rajampet, Kadapa Dated:7-11-2008
7)Govt.Memo.No.162/Vig.II/A1/01-35 PR&RD (Vig.II) Deptt., Dt:03-12-2009.
8)From Engineer-in-Chief, PR, Hyd.,vide Letter No.Vig.I(4)/17398/1999 Dated:19-07-2012 & 12-09-2012.
9)Govt.Memo.No.161/Vig-II/A1/2001-42, Dt:15-02-2013.
10)From the ENC, PR, Letter No.Ser-IV/17938/99, Dt:5-12-2019.
11)Govt.Letter No.162/Vig.II/A1/2001-53, Dated:26-08-2020.
12)From the Secretary, APPSC, Letter No.302/DC&C/2020,dt:06-10-2020.

<o>

ORDER:

On the allegations of serious lapses took place in execution of two CPWS Schemes sanctioned to Vontimitta and Pondaluru in YSR Kadapa District, disciplinary proceedings under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 have been initiated against Sri D. Chandra Obula Reddy, the then AEE (CPWS Scheme Vontimitta) RWS (Projects), Sub-Division, Rajampet, YSR Kadapa District along with others, and in the reference 1st read above, the following article of charge was issued against him:-

Charge-1:- That Sri D. Chandra Obula Reddy, while working as Incharge AEE, RWS (Projects), Sub-Division, Rajampet, YSR Kadapa District, has failed to take levels of the OHSR for CPWS Scheme to Vontimitta, resulting which water did not reached the GLSR by gravity.

Charge-2 :- That the D.O. has executed pipe line work from Rachagudipalli to Malkatpalli deviating approved alignment, resulting which the water did not reached the Malkatpalli Village.

Charge-3:- In respect of Vontimitta CPWS Scheme, branch Pipe line to Narokotpalli was laid through Vontimitta S.T. Colony through hilly region, deviating the approved hydraulic statement which is irregular.

Charge-4:- That the D.O. has also prepared bills and recommended for payments for the defective work, without getting hydraulic tests for the above work.

Charge-5:- The D.O. has also failed to supervise the work "CPWS Scheme to Vontimitta" properly and caused loss to Government to a tune of Rs.6.55 lakhs.

2. The Charged Officer has submitted his written statement of defence vide reference 2nd read above, and the same was not convincing. Hence, the case was entrusted to General Administration (COI) Department, for conducting detailed inquiry. Accordingly, in the reference 3rd read above, orders were issued appointing Sri Janak Raj, IPS, Member, Commissioner of Inquiries, General Administration (COI) Department as Inquiry Authority to inquire into the charges framed against Sri D. Chandra Obula Reddy, former AEE, RWS, Rajampet, YSR Kadapa District along with (2) other AEEs.

3. In the reference 4th read above, the Inquiry Officer has submitted his inquiry report and made following findings :-

1) With regard to charge-1 the CO, his failed to take levels of the OHSR for CPWS Scheme to Vontimitta resulting which water did not reach the GLSR by gravity. He was the initial Officer (i.e. AEE) and he was fully responsible for checking the levels before making the alignment of the pipeline and OHSR even though the levels were already done by some other officers. The Presenting Officer asserted that charged officer should have rejected on paper if low quality pipes and related material was supplied. Agreeing with the arguments of the Presenting Officer, hold this charge-1 against him as proved.

2) With regard to charge-2, the CO has executed pipeline work from Rachgudipalli to Malkatpalli deviating approved alignment resulting which the water did not reach Malkatpalli village, the charged officer in his final written arguments contended that the deviation was done as per the oral instructions of DEE and EE and the instructions were not taken in writing. This is certainly not convincing. The CO took the plea that the deviation was done as the pipe line was to pass through R&B boundary and through the fields and that the owners of the fields had objected for the laying of the pipeline. The CO should have brought to the notice of the higher officers and taken their orders in writing for the deviation work. He did not do so. Agreeing with the arguments put forth by the PO. Hence, hold this charge-2 against him as proved.

3) With regard to charge-3, pertains to the deviation of the approved hydraulic statement and taking the branch pipeline to Narkotpalli through Vontimitta S T colony through hilly region. The CO contended that the deviation was undertaken to cover the SC&ST colony situated adjacent to Railway Station on either side and that people there were facing drinking water problem and on their request and on public representation those two habitations were included and deviation made. There is no doubt the action of the CO was being humanitarian and catering to the need of the public, but he should have taken permission from the Chief Engineer and other superior officers for this deviation. Hence, hold this charge-3 against him as proved.

4) With regard to charge-4, pertains to the allegation that he prepared bills and recommended for payments for the defective work, without getting hydraulic tests for the work done. In this regard the PO asserted that it is charged officer who has to conduct the hydraulic test before preparing the bill and recommending for payment. The CO has tried to pass on the blame to Superintending Engineer and EE saying they did not instruct him for hydraulic tests. The CO is a responsible Engineer, do not agree with his defence. Hence, hold this charge-4 against him as proved.

Contd....P-3..

5) With regard to charge-5, pertains to failing to supervise the work CPWS Scheme to Vontimitta properly and causing loss to Govt. to a tune of Rs.6.55 lakhs. The CO asserted his innocence saying all the superior officers including EE were in the picture and he cannot be held responsible entirely for the lapse. The Presenting Officer stated that without construction of the GLSR is required due to level differences the water through pipeline would not reach the villages. Hence the CO cannot be held responsible for loss to the Govt. Agreed with the Presenting Officer and hold the charge as not proved.

4. Government, after examining the said enquiry report, have decided to agree with the findings of Inquiry Officer, and accordingly communicated a copy of inquiry report to the Charged Officer and directed to submit his representation on the enquiry report vide reference 5th read above.

5. In the reference 6th read above, Sri D. Chandra Obula Reddy, the then AEE, RWS, Rajampet, Kadapa District has submitted his representation on the enquiry report, stating in respect of charge-1, the estimates were prepared by August,1994, under the guidance of the DEE and EE and submitted to CE for approval; that the CE approved the estimates during September,1994 and after receipt of the approved estimates, tenders were called for in October,1994 by the SE for pumping main and Gravity main and agreements were entered into by the EE during December, 1994. The SE, PR, Kadapa had placed indent for materials; that the necessary action for procurement of materials was taken at SE and EE level only. The laying and jointing of pipeline was entrusted to local contractor, who had not even had the knowledge and experience in pipe laying; that periodically, he has inspected the laying and jointing of pipes and stated that it is not possible to be present at the time of joining of every pipe and the contractor was more responsible. In respect of charge-2, he has stated that, the pipeline to Rachagudipalli, Malkatpalli villages has to be taken from the main GLBR constructed on the hillock near Ramachandrapuram; that the pipeline has to be taken all along the existing road passing through the R&B boundary and also through the fields and therefore the pipeline was taken along the road instead of taking through middle of fields, as the owners of the fields had objected for laying and also to avoid maintenance problems in future; that it was ascertained that water could not reach Malkatpalli due to not using of quality of pipes withstanding the head as per hydraulic statement but not for change in alignment; and that the above deviation of alignment was executed as per the oral instruction of the DEE and EE. In respect of charge-3, he has stated that, on the request of public representation, the two habitations were also included. Govt. gives priority to cover SCs, STs with drinking water supply, whenever schemes were provided; and that above deviation of alignment was executed as per the oral instruction of the DEE and EE. In respect of charge-4, he has stated that, with a view for early completion of work as instructed by the higher authorities and when the contractor requested for payment of work done and to enable the contractor to further proceed the work, part bills were prepared and submitted for payment and the EE admitted the bills and made payment, without any instructions; and thus there was no lapse on his part. In respect of charge-5, he has stated that, as per the sanctioned estimation, he has executed the works as per the instruction of the then EE and DEE and he executed the works GLSR, GLBR, Pumping main & Gravity main and he supervised the works with utmost care such that there were no leakages in Service Reservoirs and he also supervised with care. He followed the instructions of the then EE; that there were no lapses on his part and requested for dropping of all the charges framed against him

6. Government after examining the matter and the explanation submitted by the Charged Officer, keeping in view of findings of Inquiring Authority, have observed that due to negligence of Charged Officer the CPWS schemes failed, resulting in wastage of public money. Therefore, it has been provisionally decided

Contd....P-4..

to impose major penalty of withholding of two (2) annual grade increments with cumulative effect besides recovery of Rs.1,65,239/-, towards his share on the misappropriated amount caused at bank rate + 2% as per Article 300 of A.P. Financial Code Volume-I under Rule 9 (vi) of APCS (CC&A) Rules, 1991, against Sri D. Chandra Obula Reddy, the then AEE (Vontimitta CPWS Scheme), YSR Kadapa District, as explanation submitted by Charged Officer is not convincing. Accordingly, the concurrence of APPSC has been obtained vide reference 11th read above.

7. Government, after careful examination of the matter hereby order to impose a major penalty of withholding of two (2) annual grade increments with cumulative effect besides recovery of Rs.1,65,239/-, towards his share on the misappropriated amount caused at bank rate + 2% as per Article 300 of A.P. Financial Code Volume-I under Rule 9 (vi) of APCS (CC&A) Rules, 1991, against Sri D. Chandra Obula Reddy, the then AEE, for the charges held proved for the irregularities committed by him in the execution of CPWS Schemes in Vontimitta of Kadapa District.

8. The Engineer-in-Chief, Panchayat Raj/Engineer-in-Chief, RWS&S, Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
Sri D. Chandra Obula Reddy, the then AEE, (Vontimitta) Kadapa District
(through ENC, PR, Vijayawada)
The Engineer-in-Chief, Panchayat Raj, Vijayawada (in duplicate with a request to obtain and furnish the dated acknowledgment of the orders)
Copy to:
The Engineer-in-Chief, RWS&S, Gollapudi, Vijayawada.
The Secretary, APVC, Secretariat Building-5, Velagapudi.
The Secretary, APPSC, Vijayawada (w.r.t letter No.302/DC&C/2020, dated:06-10-2020)
The Accountant General, AP, Vijayawada.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER